GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

STARRED QUESTION NO:345
ANSWERED ON:27.03.2017
Contractual Workers
Solanki Dr. Kirit Premjibhai

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)whether his Ministry has allowed various organisations including the Food Corporation of India to hire contractual workers, and if so, the details thereof;
(b)whether this matter was referred to the Central Advisory Contract Labour Board(CACLB);
(c)if so, the details thereof along with the recommendations made by CACLB in this regard; and
(d)whether the Ministry has taken into consideration the recommendations made by CACLB and if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) to (d): A statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN REPLY TO PART (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO. *345 FOR 27.03.2017 BY DR. KIRIT P. SOLANKI REGARDING CONTRACTUAL WORKERS.
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(a): The Central Government grants exemption to an establishment in case of an emergency under section 31 of the Contract Labour (Regulation & Abolition) Act, 1970 subject to certain conditions and for specific period. Accordingly, the Central Government vide Notification No. S.O. 2327(E) dated 06.07.2016 published in the Gazette of India has exempted 226 godowns, depots and railheads of the Food Corporation of India from the applicability of notifications of the Government of India in respect of employment of contract labour in different jobs for a period of two years, with effect from the date of publication of the notification in the Official Gazette, and subject to compliance of the conditions specified under sub-clause (a) of clause (v) of sub-rule (2) of rule 25 of the Contract Labour (Regulation and Abolition) Central Rules 1971.
(b) to (d): Yes. The Central Advisory Contract Labour Board (CACLB) in its 89th Meeting on 4th May, 2016 recommended not to grant exemption to the Food Corporation of India.

However, the Central Government in view of the prevailing conditions including drought and drought like conditions requiring urgent movement of food grains and also in view of the observations of the Hon'ble High Court of Bombay (Nagpur Bench) in PIL No. 84 of 2014, decided to grant exemption under Section 31 of the Contract Labour (Regulation & Abolition) Act, 1970 for a period of two year subject to the conditions mentioned in reply to part (a) of the question as above.
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